



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

January 31, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

23 January 31, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**LOS ANGELES COUNTY WATERWORKS DISTRICT  
NO. 40, ANTELOPE VALLEY, REGION 4, LANCASTER  
NEGATIVE DECLARATION, AUTHORIZATION TO PROCEED  
43205 5TH STREET WEST SOLAR POWER SYSTEM  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

### SUBJECT

This action is to adopt a Negative Declaration prepared for the 43205 5th Street West Solar Power System in the Antelope Valley.

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY:**

1. Consider the Negative Declaration for the installation of a 350-kilowatt ground-mounted, single-axis tracker solar power system at the Los Angeles County Waterworks District No. 40, Antelope Valley's well field site at 43205 5th Street West in Lancaster at an estimated cost of \$2,000,000; find that the project will not have a significant impact on the environment; find that the Negative Declaration reflects the independent judgment and analysis of the County; and approve the Negative Declaration for this project.
2. Authorize the Department of Public Works to construct the solar power system at a cost not to exceed \$2,000,000.

### PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to approve the Negative Declaration, which would allow the Department of Public Works to install a 350-kilowatt ground-mounted, single-axis tracker solar power system at the Los Angeles County Waterworks District No. 40, Antelope Valley's well field site at 43205 5th Street West in Lancaster using Internal Services Department's existing Energy Efficiency Project Service Master Agreement for design, engineering, and construction services of County facilities. The Master Agreement was approved by your Board on November 6, 2007. To install the solar power system, a Negative Declaration was prepared finding that the project will not have a significant impact on the environment. The solar power generated on the site will be used to operate three wells and four booster pumps. The Los Angeles County Waterworks District No. 40, Antelope Valley, Region 4, Lancaster (District), will be reimbursed \$650,000 from the California Solar Initiative Program toward the cost of the project. The project's life expectancy is estimated to be 25 years and the payback period of the District's share of project's cost is estimated to be 12 years, beyond which the District's cost for the generated power is zero. Additionally, the project will have a positive environmental impact by reducing greenhouse gas emissions by 750,000 pounds per year.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended action support these goals by leveraging external funding sources to install a solar system that will provide a sustainable energy source to operate facilities that provide drinking water for the District's customers.

### **FISCAL IMPACT/FINANCING**

There will be no impact on the County General Fund.

The estimated construction cost for this project is approximately \$2,000,000. Sufficient funds to cover the cost of this project are included in the Waterworks District No. 40, Antelope Valley's Accumulated Capital Outlay Fund (N64) budget for Fiscal Years 2011-12 and 2012-13. After the project has been completed, the District will be reimbursed \$650,000 from the California Solar Initiative Program.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Under the California Environmental Quality Act (CEQA), any lead agency preparing a Negative Declaration must provide a public notice within a reasonable period of time prior to certification of the Negative Declaration. To comply with this requirement, a public notice, pursuant to Section 21092 of the Public Resources Code, was published in the Antelope Valley Press and Daily News on November 9, 2011. A copy of the draft Negative Declaration (Enclosure A) was provided to the Lancaster Library for public review. In addition, 10 copies of the draft Negative Declaration were sent to the State Clearing House, who distributed the document to the necessary agencies.

The 30-day public review period ended on December 10, 2011. A community meeting was held in Lancaster on December 5, 2011, to inform the public of the project and receive comments. No comments were received at the community meeting. The District received one response letter from the State Clearing House indicating there was a comment from the Native American Heritage Commission. The letter and response to the comment are included in Enclosure B along with the enclosed Negative Declaration.

**ENVIRONMENTAL DOCUMENTATION**

CEQA requires public agency decision makers to document and consider environmental implications of their actions. The Negative Declaration was written pursuant to the CEQA Guidelines of 1970, as amended (Division 13, California Public Resources Code), and the CEQA Guidelines (Division 6, California Administrative Code).

Upon your Board's approval of the enclosed Negative Declaration, the District will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no negative impact on current County services or projects during the performance of the recommended services.

**CONCLUSION**

Please return two adopted copies of this letter to the Department of Public Works, Waterworks Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:AA:dvt

Enclosures

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office

# ENCLOSURE A

## DRAFT NEGATIVE DECLARATION

### INITIAL STUDY OF ENVIRONMENTAL FACTORS

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
LOS ANGELES COUNTY WATERWORKS  
DISTRICT NO. 40, ANTELOPE VALLEY, REGION 4, LANCASTER**

- |                                              |                                                                                                                  |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| <b>1. Project Title:</b>                     | 43205 5 <sup>TH</sup> Street West, Lancaster Solar Project                                                       |
| <b>2. Lead Agency Name &amp; Address:</b>    | Los Angeles County Department of Public Works<br>Waterworks Division<br>P.O. Box 1460<br>Alhambra, CA 91802-1460 |
| <b>3. Contact Person &amp; Phone Number:</b> | Mr. Clark Ajwani – (626) 300-4687                                                                                |
| <b>4. Project Location:</b>                  | 43205 5 <sup>th</sup> Street West, Lancaster, CA 93534                                                           |
| <b>5. General Plan Designation:</b>          | Mixed Use                                                                                                        |
| <b>6. Zoning:</b>                            | MU-N: Mixed Use Neighborhood                                                                                     |

**7. Description of Project:**

The proposed project involves the construction and use of solar panels on the undeveloped portion of the 2.5-acre water well facilities site at **43205 5<sup>TH</sup> Street West**. The system will be a 350 kilowatt ground mounted single-axis tracker solar photovoltaic system. The solar panels will be used to offset power loads to operate the pumps and receive credit from Southern California Edison when the site produces extra electricity. The average power loads at the site total 760,000 kilowatt-hours per year.

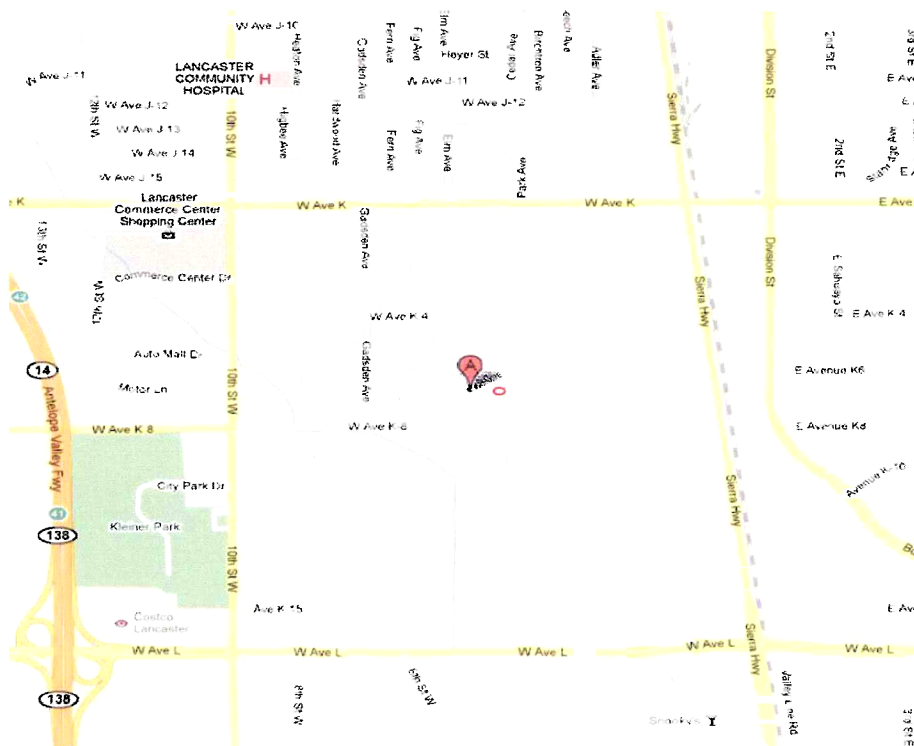


Figure 1: Location Map



Figure 2 Aerial Map

#### **8. Surrounding Land Uses and Setting:**

The proposed project is located in the City of Lancaster with a land use designation of Mixed Use. The proposed project site is located approximately 1.54 miles north of the border with the City of Palmdale.

The proposed project site is a 2.5 acre site that currently contains water well facilities owned and operated by Los Angeles County Department of Public Works Waterworks Division. Facilities that are currently on site include three active wells, Well Nos. 4-72, 4-44, and 4-43, which consume energy at the rate of 200, 200, and 150 horsepower, respectively. In addition, there are four booster pumps with 100 horsepower each, a water storage tank, and a retention basin. The majority of the site is open land consisting of disturbed ruderal vegetation, bare ground, and dirt roads. Currently, the site is being used for storage of water facility equipment such as pipe and concrete rubble. Land uses adjacent to the proposed project site include Mixed Use, Multi-Residential, and Commercial uses.

#### **9. Other Public Agencies Whose Approval is Required: (e.g., permits, financing approval, or participation agreement.)**

Los Angeles Regional Water Quality Control Board (California General Permit for Discharges of Storm Water Associated with Construction Activity, Storm Water Pollution Prevention Plan).

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

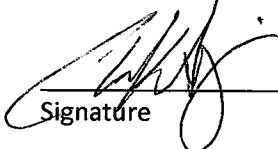
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |                                                        |                                                             |                                                   |
|--------------------------------------------------------|-------------------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality              |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Finding of Significance  |                                                   |

### 1.1. DETERMINATION

On the basis of this initial evaluation:

1. I find that the project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☒
2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared. ☐
3. I find the proposed project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐
4. I find that the proposed project **may have a "potentially significant impact" or "potentially significant unless mitigated impact"** on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐
5. I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐

  
\_\_\_\_\_  
Signature

November 8, 2011  
\_\_\_\_\_  
Date

Clark Ajwani  
\_\_\_\_\_  
Name

LACDPW  
\_\_\_\_\_  
For



## **PROPOSED NEGATIVE DECLARATION**

### **43205 5<sup>TH</sup> Street West, Lancaster Solar Project**

#### **Location and Brief Description:**

The proposed project is located at 43205 5<sup>th</sup> Street West in Lancaster, in Los Angeles County, California. The proposed project is on a site that currently contains water well facilities, with a land use designation of Mixed Use. The property is owned and operated by the Los Angeles County Waterworks District. The proposed project site is located approximately 1.5 miles north of the border with the City of Palmdale. Land uses adjacent to the proposed project site include Mixed Use, Multi-Residential, and Commercial.

The proposed project involves the construction and operation of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. The solar panels will be used to offset power loads to operate the pumps and receive credit from Southern California Edison when the site produces extra electricity. Facilities that are currently on site include three active wells, Well Nos. 4-72, 4-44, and 4-43, which are 200, 200, and 150 horsepower respectively. In addition, there are four booster pumps with 100 horsepower each. The power loads at the site total 760,000 kWh per year.

#### **Mitigation Measures Included in the Project to Avoid Potentially Significant Effects:**

No mitigation measures are included as no significant negative impacts on the environment were identified.

However, to further reduce potential impacts to air quality, biological resources, cultural resources, noise, and water quality, the construction and operation of the proposed project would be conducted in accordance with applicable standards, BMPs, and the following project design minimization measures. The following project design minimization measures would be implemented as part of the proposed project:

- AQ-1: Fugitive dust abatement measures including applying water, covering the land, or planting and maintaining vegetation will be implemented to reduce the potential for dust during project construction.
- B-1: A focused burrowing owl survey following the California Burrowing Owl Consortium (CBOC) guidelines (1993) will be conducted 30 days or less prior to construction.
- CR-1: In the event that any subsurface archaeological or paleontological materials are encountered during ground-disturbing construction activities, the contractor will cease all activities in the vicinity of the find until the deposits are recorded and evaluated by a qualified archaeologist or paleontologist. Ground disturbance may be suspended in the vicinity of the find until the deposit is recorded and evaluated.
- CR-2: If human remains of any kind are found, all activities will cease immediately and a qualified archaeologist and the County Coroner will be notified. If the coroner determines the remains to be of Native American origin, the archaeologist will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.

- N-1: Construction operations shall not occur between 7 p.m. and 7 a.m. on weekdays or Saturdays or at any time on Sunday. The hours of any construction-related activities shall be restricted to periods and days permitted by local ordinance.
- N-2: The onsite construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
- N-3: Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.
- N-4: Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far away as practical from noise-sensitive receptors.
- N-5: The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- N-6: All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for the type of equipment.
- H-1: Erosion control measures including the use of wattles, silt fencing, and gravel bags will be implemented to reduce any potential impacts to water quality.

**Findings of No Significant Effect:**

Based on the attached Initial Study, it has been determined that the project will not have a significant effect on the environment.



## EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. The explanation of each issue should identify:

- a. the significance criteria or threshold, if any, used to evaluate each question; and
- b. the mitigation measure identified, if any, to reduce the impact to less than significance

\*Note: Instructions may be omitted from final document.

## ENVIRONMENTAL CHECKLIST FORM

### 1.1. AESTHETICS

1.	AESTHETICS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 1.1.1 Impact Analysis

- (a) The proposed project site is located in the City of Lancaster on a 2.5-acre piece of land that currently contains water well facilities. The undeveloped portion of the site contains disturbed ruderal vegetation, bare ground, and dirt roads. As discussed in the City of Lancaster General Plan (2009), "Maintaining views of the mountains and the desert scenes has been identified by local residents as important in defining community identity." The proposed project is not characterized as providing views of the mountains or desert. While the proposed project would change the character of foreground views for adjacent residential uses, the solar panels would not block any views of scenic vistas. Impacts would be less than significant.
- (b) The proposed project is not in the vicinity of any state scenic highways. The proposed project is located 0.75 mile from State Route 14; however it is not a designated scenic highway. Further north, in Kern County, the highway is listed as an eligible, but not officially designated, state scenic highway. However, that portion of the route is over ten miles away from the proposed project site. Additionally, there are no scenic resources, trees, rock outcroppings, or historic buildings on the proposed project site. The proposed project would have no impact on scenic resources within a state scenic highway.
- (c) The proposed project will add solar panels over a 2.5 acre site that is mostly undeveloped except for the existing water well facilities. Existing residential uses with a view of the proposed project site are located to the west of the site. The visual character of the site will change from primarily bare ground to solar panels. The open area of the site has been used as a storage site for nearby water facility construction materials such as large water pipes, rock rubble, and dirt piles. The installation of solar panels would modify the site appearance to be more orderly and

industrialized; thus, not degrading the visual characteristics of the site. Impacts would be less than significant.

- (d) The proposed project will install solar panels on a site that is mostly undeveloped bare ground except for the existing water well facilities. The solar panels themselves are not reflective and are dark in color, as they are designed to absorb sunlight, not reflect it. In addition, the proposed project does not include any new lighting. The proposed project would have no impact as a result of a new source of substantial light or glare.

## 1.2. AGRICULTURE & FOREST RESOURCES

2.	<b>AGRICULTURE &amp; FOREST RESOURCES.</b> (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) <b>Would the project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or the conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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### 1.2.1 Impact Analysis

- (a) The proposed project site is located on land designated as "Other Land" by the Farmland Mapping and Monitoring Program of the California Resources Agency. Other Land is generally classified as "vacant and nonagricultural land", and includes "areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities" (FMMP, 2011). The proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use.
- (b) The proposed project site is located on land that is zoned Mixed Use – Neighborhood, and currently contains water well facilities. The site is not zoned agricultural and is not under a Williamson Act contract. The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract.
- (c) through (e). The proposed project is located on land that is zoned Mixed Use – Neighborhood, and currently contains water well facilities. There are no agriculture or forest uses on the site, and vegetation onsite is generally classified as ruderal. The proposed project would not conflict with zoning for forest land or timberland, result in the loss or conversion of forest land, or result in any other conversion of forest land or farmland.

### 1.3. AIR QUALITY

3.	<b>AIR QUALITY</b> (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) <b>Would the project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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### 1.3.1 Environmental Setting

The proposed project site is under the jurisdiction of the Antelope Valley Air Quality Management District (AVAQMD). As described in the Lancaster General Plan (2009), air quality in the high desert region and the City of Lancaster is generally good except for total suspended particulates and ozone, which are above the recommended levels. The main source of these pollutants includes vehicle emissions, and fugitive dust from improper soil preparation and abandoned agriculture.

### 1.3.2 Impact Analysis

- (a) through (b) The Antelope Valley is designated as a nonattainment area for (1) the state and federal ozone standard and (2) for the State Particulate Matter (PM10) standard (particulate matter less than 10 microns in size). The proposed project involves the construction and operation of solar panels on a 2.5 acre property that is currently developed with water well facilities. The proposed project will not specifically conflict with or obstruct implementation of the applicable air quality plan since air pollutant sources created during operation would be limited to minimal maintenance activities. Construction activities may temporarily increase fugitive dust levels, including PM10 levels, near and downwind of the proposed project site. BMPs, including fugitive dust abatement, will be implemented during construction as part of the proposed project (see Project Design Minimization Measures, AQ-1). The proposed project will generate a small amount of reactive gases (ROGs) and NOX from construction vehicles; however, the amount is minimal and well below the AVAQMD threshold criteria of 137 lbs/day for significant impacts (AVAQMD, 2008). Therefore, impacts would be less than significant.
- (c) The proposed project will not contribute to a cumulative net increase in ozone or PM10 pollutants, since air pollutant sources created during operation would be limited to minimal maintenance activities. The installation of solar panels will eliminate the existing water well facilities' reliance on traditional energy sources. Therefore, impacts would be less than significant.
- (d) The proposed project is located approximately 130 feet from the nearest sensitive receptor, residences to the west of the proposed project site. The proposed project involves the installation and operation of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. The emissions associated with the proposed project are emissions from construction vehicles, possible fugitive dust from construction activities, and air pollutant sources created during operation would be limited to minimal maintenance activities. As mentioned above, the proposed project will include BMPs to abate any fugitive dust; and emissions will be minimal and short-term in nature. Therefore, impacts would be less than significant.
- (e) No odors will be generated from the solar panels or their operation. Furthermore, solar facilities are not listed as facilities that emit odors. The proposed project would not create objectionable odors affecting a substantial number of people.

#### 1.4. BIOLOGICAL RESOURCES

4.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

##### 1.4.1 Background

The proposed project site is located in the Antelope Valley in the City of Lancaster. This region is within the West Mojave Plan, a habitat conservation plan. A biological reconnaissance survey took place in May 2011 to determine existing conditions, habitat types, and the presence or absence of any sensitive species. As noted in the memo report for the biological reconnaissance survey, overall conditions on the proposed project site ranged from existing developed structures to highly impacted habitats by human activities. Soils on the site were compacted and appeared to be routinely cleared of vegetation.



#### 1.4.2 Impact Analysis

- (a) The biological reconnaissance survey found that habitat onsite includes ruderal, rabbitbrush scrub, and developed habitat. Neither sensitive species nor sensitive habitats were observed on the proposed project site. However, the survey determined that one sensitive species, the burrowing owl, has a moderate potential to be onsite. The implementation of Project Design Minimization Measure B-1 reduces this impact to a level that is considered less than significant.
- (b) No riparian habitat or other sensitive natural community is present onsite. The proposed project site is located on a site that currently contains water well facilities. The portions of the site that are not developed with the water well facilities consist of previously disturbed soil. The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.
- (c) The proposed project site does not contain any wetlands. Therefore, the proposed project would not have any effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.
- (d) The proposed project site is within a fenced property. The site is previously disturbed, and contains mostly ruderal or developed areas, with some rabbitbrush scrub. The proposed project, which is within the fenced area, would not interfere with the movement of any native resident or migratory fish or wildlife species, wildlife corridors, or native wildlife nursery sites.
- (e) The proposed project site is on land that is previously disturbed and contains no trees. The proposed project would not conflict with any local policies or ordinances protecting biological resources, and no trees would be removed.
- (f) The proposed project site is subject to the West Mojave Plan, a habitat conservation plan that includes the City of Lancaster. However, the primary areas in Lancaster that are protected include Joshua Tree Woodland and Prime Desert Woodlands. The proposed project does not contain either of these vegetation types, and would not conflict with the West Mojave Plan. The impact to local, regional, or state habitat conservation plans is less than significant.

#### 1.5. CULTURAL RESOURCES

5.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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#### 1.5.1 Impact Analysis

- (a) The proposed project site is previously disturbed, with portions of the site developed with water well facilities. No known historic resources occur on or adjacent to the proposed project site and the proposed project would not involve the demolition of any buildings or structures. While it is unlikely that unknown historical resources will be found during construction of the proposed project, the potential for impacting these resources would be minimized through implementation of Project Design Minimization Measure CR-1. Therefore, impacts to historic resources would be less than significant.
- (b) through (c). No paleontological, archaeological, or unique geologic sites are known to exist at the proposed project site. While it is unlikely that unknown paleontological or cultural resources will be found during construction of the proposed project, the potential for impacting these resources would be reduced to less than significant through implementation of Project Design Minimization Measure CR-1.
- (d) No human remains are known to exist at the proposed project site. However, if human remains are discovered during construction activities, implementation of Project Design Minimization Measure CR-2 would reduce any impacts to less than significant.

#### 1.6. **GEOLOGY AND SOILS**

6.	<b>GEOLOGY AND SOILS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6.	<b>GEOLOGY AND SOILS.</b> <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **1.6.1 Impact Analysis**

- (a) The City of Lancaster, including the proposed project site, is not located within an Alquist-Priolo Earthquake Fault Zone (California Geological Survey, 2011). There would be no impacts or risks regarding rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The nearest fault to the proposed project site is the San Andreas Fault, located approximately 6.5 miles south of the site. Therefore, being located in the vicinity of the San Andreas Fault System, the proposed project site could experience intense seismic shaking. However, the proposed project would be constructed in accordance with the seismic requirements of the Uniform Building Code (UBC) as adopted by the City, which would reduce potential impacts to a less than significant level. The proposed project site is not located in an area subject to liquefaction or landslide (California Geological Survey, 2005).
- (b) The proposed project would be constructed on the undeveloped portion of the 2.5-acre water well facilities site. There is a small potential for water and wind erosion during construction of the proposed project. The project would be required to conform to the Lancaster Municipal Code Chapter 8.16, which requires protection of the land by an effective method such as maintaining vegetation or applying water to the soil. Compliance with the Municipal Code, which is part of the project, would ensure impacts from soil erosion are less than significant.
- (c) The proposed project site is not classified as an area subject to unstable soils, landslide, lateral spreading, subsidence, liquefaction or collapse (California Geological Survey, 2005). Impacts from the proposed project are less than significant.
- (d) The proposed project site is classified as having a low shrink/swell potential (Lancaster General Plan MEA, 2009), which is not an expansive soil as defined in Table 18-1-B of the Uniform Building Code. Therefore, soil expansion would not represent a hazard at the proposed project site; impacts would be less than significant.

- (e) The proposed project would not involve any sewer connections or septic tanks. The proposed project would not involve the construction of any structures that would be occupied; therefore, no impacts would occur

#### 1.7. GREENHOUSE GAS EMISSIONS

7	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

##### 1.7.1 Impact Analysis

- (a) The proposed project involves the construction and operation of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. The solar panels will be used to offset power loads to operate the pumps and receive credit from Southern California Edison when the site produces extra electricity. As discussed in Section 1.3, the proposed project would generate some air emissions during construction related activities and operation maintenance activities, some of which may be greenhouse gases. However, due to the short-term nature, the emissions are anticipated to be less than the thresholds established by the AVAQMD. Following construction, the proposed project would not result in any new sources of greenhouse gas emitters, nor would the proposed project create a new use that would attract vehicle trips that otherwise would not occur. Impacts would be less than significant
- (b) The proposed project involves the construction and use of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. The small amount of emission that will be generated during the construction of the proposed project will not prevent the State from reaching its greenhouse gas emission targets. The proposed project would be in compliance with the greenhouse gas goals and policies identified in the City of Lancaster's General Plan. Impacts would be less than significant.

#### 1.8. HAZARDS AND HAZARDOUS MATERIALS

8.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f)	For a project within the vicinity of a private airstrip would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 1.8.1 **Impact Analysis**

- (a) through (b). The proposed project involves the construction and use of solar panels on a 2.5-acre site. The proposed project will involve minimal amounts of hazardous materials during construction. Additionally, during operation, some hazardous materials may be utilized during maintenance related activities. All materials would be used in accordance with the applicable rules and regulations. The proposed project site is currently contains water well facilities. Impacts related to hazards to the public or environment from hazardous materials would be less than significant.
- (c) The proposed project site is not located within a quarter mile of an existing or proposed school. Three schools are located within a half mile of the proposed project site and include Apostolic Shepherd Fold Preschool, Desert Sands Charter School, and Antelope Valley Community Day School. Impacts would be less than significant.

- (d) The proposed project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The nearest hazardous materials sites are approximately 0.4 mile north of the proposed project site, and are Closed Leaking Underground Tank Sites. Impacts would be less than significant.
- (e) through (f). The nearest airports to the proposed project site are the Air Force Plant 42 and the Palmdale Regional Airport, which share the site and runways. The proposed project site is located approximately three miles from the nearest runway, and is not located within an airport land use plan. The proposed project would not involve a hazard for people residing or working in the project area due to the proximity of the airport; impacts would be less than significant.
- (g) The proposed project is surrounded by dirt roads, including West Avenue K-8. None of these roads have been designated as an evacuation route. Additionally, any traffic generated by the proposed project would not be numerous enough to impact any of the area intersections. Therefore, the proposed project would have less than significant impacts in regards to emergency response or emergency evacuation plans.
- (h) The proposed project site is located on disturbed land, and is bordered by residential uses to the west, and generally undeveloped land to the north, east, and south. It is possible that these lands could be subject to a grass fire. However, the proposed project site is located within the boundaries of Fire Station No. 129, located at 42110 6<sup>th</sup> Street West, which is also the Division Headquarters. Therefore, impacts from wildland fires would be less than significant.

#### 1.9. HYDROLOGY AND WATER QUALITY

9.	HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9.	HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 1.9.1 Impact Analysis

- (a) The proposed project would be required to comply with all applicable provisions of the National Pollutant Discharge Elimination System (NPDES) program. The NPDES program establishes a comprehensive storm water quality program to manage urban storm water and minimize pollution of the environment to the maximum extent possible. The solar panel operation would not generate any wastewater. As part of the NPDES program, BMPs are used to manage runoff water quality through management of potential contaminants. The proposed project would incorporate appropriate BMPs as applicable, as determined by the City of Lancaster Department of Public Works. Therefore, impacts would be less than significant.
- (b) The proposed project would involve only minimal use of groundwater supplies, as it would utilize existing onsite water for the occasional washing of the solar panels. Additionally, the proposed project would not impact any groundwater recharge areas. Therefore, the proposed project would have less than significant impacts on groundwater supplies and groundwater recharge.



- (c) through (f). The nearest body of water to the proposed project site is the Amargosa Creek. The creek is located approximately one quarter mile to the southwest. However, the proposed project will not substantially alter the existing drainage pattern of the site or area. The proposed project involves the construction and use of solar panels on the site. The site will be graded to prepare for the placement of solar panels, but will not be paved, leaving the site in a pervious condition. Additionally, the proposed project will be designed to accept the current flows entering the property and to handle any additional incremental runoff from the site. Therefore, impacts from flood or drainage would be less than significant.
- (g) through (h). The proposed project site is designated Zone X, areas determined to be outside the 0.2% annual chance floodplain, per the Flood Insurance Rate Map 06037 (FEMA, 2011). The proposed project does not involve the construction of any housing or occupied structures. Therefore, the proposed project would have no impacts as a result of placing housing or structures on the proposed project site.
- (i) The proposed project does not contain, and is not located in the vicinity of a dam or levee. Therefore, the proposed project would have no impacts related to the exposure of people or structures to a significant risk of loss, injury, or death involving flooding as the result of the failure of a levee or dam.
- (j) The proposed project is not located in a coastal zone; therefore, it would not be at risk from a tsunami. Additionally, the proposed project site is not located in the vicinity of any enclosed bodies of water, and the site is relatively flat. Therefore, the proposed project would not be subject to inundation by seiches or mudflows. No impact would occur

#### 1.10. LAND USE AND PLANNING

10.	LAND USE/PLANNING Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

##### 1.10.1 Impact Analysis

- (a) The proposed project involves the construction and operation of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. Although the site is located

adjacent to a residential community, located to the west of the proposed project site, it would not physically divide an established community. Solar panels would be placed on the undeveloped portion of an existing water well facilities site. Except for the residential community to the west, the rest of the area surrounding the site is predominately undeveloped. Access to the proposed project site would be from West Avenue K-8. No new roadways would be constructed, and the proposed project would not provide any physical barriers to areas such as streets, trails, or access routes that could physically divide a community. Therefore, no impacts related to physically dividing an established community would occur

- (b) The proposed project site is located on land zoned as Mixed Use – Neighborhood, which allows for multiple uses, such as residential uses as well as smaller commercial or office uses. The proposed project site currently contains water well facilities; therefore the addition of solar panels to the property would be consistent with the nature of the existing onsite use. There will be no impact to the City of Lancaster General Plan.
- (c) As discussed in section 5.4 above, the site is located within the West Mojave Plan, a habitat conservation plan. However, the proposed project will not be in conflict with the plan; therefore, no impacts would occur

#### 1.11. MINERAL RESOURCES

11.	MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

##### 1.11.1 Impact Analysis

- (a) through (b) The proposed project site is not located in an area designated as having mineral resources. The site is currently contains water well facilities, and is not being used as a mining or resource recovery site. As shown on the Mineral Resources Map (Figure 2-4) of the City of Lancaster General Plan Master Environmental Assessment, the proposed project site is located outside of the “Mineral Reserve Zone” (Master EA, 2009). Therefore, the proposed project would have no impacts on mineral resources.

## 1.12. NOISE

12.	NOISE Would the project result in:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f)	For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 1.12.1 Impact Analysis

- (a) through (b). The proposed project is located on land zoned as Mixed Use – Neighborhood. The City's General Plan establishes Noise Compatible Land Use Objectives; and for rural and residential areas the outdoor maximum CNEL is 65 dBA. Construction activities associated with construction equipment would temporarily increase noise levels in the area and for the adjacent uses. The level of increase in noise would depend on the type of construction equipment used and the duration of use. Implementation of Project Design Minimization Measures N-1 through N-6 would reduce noise impacts. It is also noted that the construction noise levels of the proposed project are exempt from the noise limits of the County Noise Control Ordinance as specified in the County Noise Control Ordinance Part 5 Exemptions, H:5

Public Health and Safety Activities. All transportation, flood control, and utility company maintenance and construction operations at any time on public right of way, and those situations, which may occur on private real property deemed necessary to serve the best interest of the public and to protect the public's health and well-being, including but not limited to street sweeping, debris and limb removal, removal of downed wires, restoring electrical service, repairing

traffic signals, unplugging sewers, snow removal, house moving, vacuuming catch basins, removal of damaged poles and vehicles, repair of water hydrants and mains, gas lines, oil lines, sewers, etc.

Therefore, the proposed project would be expected to result in less than significant construction noise impacts.

- (c) The operation of the proposed project will not cause noise levels significantly different from the noise levels produced by existing onsite water pumping operations. The operation of the solar panels would generate very minimal noise, as the panels move on slow moving, silently rotating single-axis trackers. Minimal maintenance activities are involved with the solar panels, and would consist of cleaning of the panels as well as some clearing of vegetation. Due to the passive nature of the solar operations, there would be no substantial permanent increase in noise levels due to the proposed project. The impacts would be less than significant
- (d) As noted in (a) and (b) above, the proposed project will produce a temporary increase in noise levels due to the use of construction equipment during the construction of the proposed project. Implementation of Project Design Minimization Measures N-1 through N-6 would reduce these temporary noise levels to a less than significant level.
- (e) through (f). The proposed project is located approximately three miles from Air Force Plant 42; it is not located within the airport land use plan or within the overflight zone. After construction, the proposed project would not involve the presence of personnel onsite on a regular basis. Therefore the proposed project would not expose people working or residing in the area to excessive noise levels due to the proposed project. The impacts would be less than significant.

#### 1.13. POPULATION AND HOUSING

13.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 1.13.1 Impact Analysis

- (a) The proposed project involves the construction and operation of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. The construction and use of solar panels is to mainly provide energy for the water pumps; any additional energy will be sold to Southern California Edison. The small solar operation would accommodate the existing onsite uses. Due to the small nature of the project, it would not induce substantial population growth; there would be no impacts related to population growth.
- (b) through (c). Residential uses are located immediately to the west of the proposed project site; however, the proposed project would not displace these uses. The proposed project would not displace any housing or people; therefore, the proposed project would not necessitate the construction of replacement housing elsewhere.

### 1.14. PUBLIC SERVICES

14.	<b>PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 1.14.1 Impact Analysis

- (a) through (b). The proposed project will minimally increase the need for fire and police services on the project site due to the increased use of the site. However, the site is already being serviced by fire and police services. The construction and operation of solar panels on the site would only incrementally increase the need for fire and police protection. The impact would be less than significant.
- (c) though (e). The proposed project would not induce population growth and therefore would not cause an increased need for schools, parks, or other public facilities.

### 1.15. RECREATION

15.	RECREATION. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 1.15.1 Impact Analysis

- (a) through (b). The proposed project involves the construction and operation of solar panels on the project site. The proposed project would not induce population growth in the area, and would not create an additional demand for recreation facilities. Therefore, no impacts to recreational facilities would occur and no construction of new facilities would be necessary.

### 1.16. TRANSPORTATION AND TRAFFIC

16.	TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16.	TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Substantially increase hazards due to a design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- (a) through (b). During construction of the proposed project, there would be increased traffic in the area due to the presence of worker vehicles and delivery trucks. These trips would only occur during construction and would most likely occur at off-peak hours of the day. The proposed project site already has adequate access; and only occasional facility maintenance would be required for the solar panels. This amount of traffic would not impact the surrounding street system. There are no congestion management agency designated roads or highways in the vicinity of the proposed project site. There would be less than significant impacts to the surrounding roadways and existing level of service standards.
- (c) The proposed project is located three miles from the nearest airport, and would not result in a change in air traffic patterns or substantial safety risks.
- (d) The proposed project does not include any design features related to the surrounding roadways; therefore no hazardous conditions would be created as part of the proposed project.
- (e) The proposed project would have adequate emergency access from West Avenue K-8, the nearest roadway. Interior circulation on the proposed project site will be provided in accordance with the requirements of the Los Angeles County Fire Department; therefore no impact would occur.
- (f) The proposed project does not conflict with or impede any of the General Plan policies or specific actions related to alternative modes of transportation. No impact would occur.



### 1.17. UTILITIES AND SERVICE SYSTEMS

17	UTILITIES/SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Require or result in the construction of new water or wastewater treatment facilities (including sewer (waste water) collection facilities) or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Have sufficient water supplies available to serve the project (including large-scale developments as defined by Public Resources Code Section 21151.9 and described in Question No. 20 of the Environmental Information Form) from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g)	Comply with federal, state, and local statutes and regulations related to solid wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 1.17.1 Impact Analysis

- (a) through (c). The proposed project involves the installation and operation of solar panels on the undeveloped portion of the 2.5-acre water well facilities site. The proposed project would not generate any wastewater that would be disposed of in a sewer or septic system. Some wastewater would be generated from the occasional washing of the solar panels. This water would be disposed of onsite in accordance with any requirements of the Regional Water Quality Control Board. As no hazardous materials will be used onsite as part of the proposed project, the wastewater is not expected to exceed any established standards. In addition, no

construction of new water or wastewater facilities will be needed. Therefore, impacts would be less than significant.

- (d) The water needs for the proposed project are for the washing of the solar panels, which will occur on an infrequent basis. This water will likely come from existing on-site wells; or, if necessary it will be trucked in. No new or expanded entitlements will be necessary. Therefore, impacts would be less than significant.
- (e) The proposed project would not create wastewater that would need to be serviced by a wastewater treatment facility. Therefore, there would be no impacts to the existing wastewater treatment provider
- (f) through (g). The proposed project will generate a minimal amount of solid waste associated with construction waste. This will contribute to an overall impact on landfill services; however, the project's contribution will be minimal. No solid waste will be generated by the solar facility during operation, and no trash collection services will be necessary. Therefore, impacts would be less than significant.

#### 1.18. MANDATORY FINDINGS OF SIGNIFICANCE

18.	MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **1.18.1 Impact Analysis**

- a) The analysis conducted in this Initial Study results in a determination that the project, with implementation of minimization measures, would result in a less than significant effect on the local environment. The construction activities associated with the proposed project would not be expected to substantially degrade fish, wildlife, and/or plant populations. Intrusion on any previously undiscovered cultural or historic resources would not be anticipated. The proposed site does not contain any important examples of the major periods of California history or prehistory. Therefore, the project would result in a less than significant impact on the quality of the environment.
- b) The proposed project would generate construction and operational greenhouse gas emissions at the same time as other projects in the area. The cumulative impact analysis for greenhouse gases is evaluated on a global scale. The cumulative condition for operational greenhouse gas emissions would include emissions occurring worldwide, all of which contribute to global emissions. The proposed construction and operation of the project will not generate enough greenhouse gas emissions to influence global climate change on its own. If viewed apart from greenhouse gas emissions produced by activities elsewhere in the world, the greenhouse gas emissions from the proposed project would be so minute that the concentration of global greenhouse gas emissions in the atmosphere would essentially remain the same. The impact of the proposed project's contribution to greenhouse gases during the construction and operational phase, therefore, is not considered cumulatively considerable.

The proposed project would not result in any impacts to agriculture and forest resources, land uses and planning, mineral resources, population and housing, or recreation. As such, the proposed project would not contribute to cumulative impacts in these environmental resource areas.

The proposed project would have a less than significant impact on aesthetics, geology and soils, hazards and hazardous materials, public services, transportation/traffic, and utilities/service systems. When combined with the effects of the construction or operation of other projects, the combined impacts would not be considerable or compound other environmental impacts for the following reasons:

- The combined effects on aesthetics would not affect scenic vistas or resources, degrade the visual quality of the area, or create sources of light or glare.
- The combined effects on geology and soils would not increase the risks from geologic hazards or result in substantial erosion or loss of topsoil.
- The combined effects on hazards and hazardous materials would not increase risk to the public.
- The combined effects on public services would not result in a substantial increase in the need for fire protection, police protection, schools, parks or other public facilities.
- The combined effects on transportation/traffic would not result in cumulative impacts because there would be a temporary minor increase in traffic during construction and adequate access exists for operational maintenance activity
- The combined effects on utilities/service systems would not result in the need for new water or wastewater treatment, stormwater drainage, water supply, or landfill facilities.

Impacts of the proposed project on air quality, biological resources, cultural resources, hydrology and water quality, and noise would not be considered significant with the incorporation of minimization measures. When combined with the effects of the construction or operation of other projects, the combined impacts would not be considerable or compound other environmental impacts for the following reasons:

- The combined effects on air quality would not result in a violation of air quality standards, conflict with the implementation of the Antelope Valley Air Quality Management Plan, or expose sensitive receptors to air pollutants or objectionable odors.
- The combined effects on biological resources would not result in a substantial loss of listed or special status species of plants or wildlife in the area.
- The combined effects on cultural resources would not result in a substantial loss of historic, archaeological or paleontological resources in the area.
- The combined effects on hydrology and water quality would not result in degradation of water quality or otherwise affect drainage or water resources.
- The combined effects on noise would not result in generation of noise levels in excess of standards nor would a substantial increase in ambient noise levels result.

For these environmental resource areas, contributions of the proposed project would not be cumulatively considerable. When the potential impacts of the proposed project are viewed in connection with past and ongoing projects, its impacts would not be considered cumulatively considerable. Therefore, the cumulative impacts of the proposed project are considered less than significant.

Direct and indirect substantial adverse effects on human beings would not be expected as a result of the project. The proposed project would result in a clean source of energy to power existing water wells. Short term effects from air pollutant emissions and localized increases in traffic would occur during the construction period; these effects would not be considered significant because they would not exceed established criteria. Potential impacts from construction noise would not be considered significant because best management practices and minimization measures to prevent and minimize the short term effects have been included in the project.

c) Potential impacts to air quality, biological, cultural, noise, and water resources would be avoided or reduced by minimization measures that would be incorporated during the design, construction and operation phase of the project. This project would be designed to incorporate energy and water conservation and efficiency, in order to prevent or reduce adverse environmental effects. The solar panel project would become a new source of clean energy which is considered a beneficial effect of the project. Therefore, direct and indirect environmental effects on human beings from the project would be considered less than significant.

## ENCLOSURE B

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

### NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 853-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
[ds\\_nahc@pacbell.net](mailto:ds_nahc@pacbell.net)



December 1, 2011

Mr. Clark Ajwani, Environmental Planner

### County of Los Angeles Department of Public Works

P.O. Box 1460

Alhambra, CA 91802-1460

Re: **SCH#2011111039 CEQA Notice of Completion; Proposed Negative Declaration for the "Solar Pwer System at 43205 – 5<sup>th</sup> Street West Project" located in the City of Lancaster, Los Angeles County, California**

Dear Mr. Ajwani:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604). The court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources, impacted by proposed projects including archaeological, places of religious significance to Native Americans and burial sites. The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect.

The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within the project area identified (e.g. 'area of potential effect' or APE). Also, the absence of archaeological resources does not preclude their existence. . California Public Resources Code §§5097.94 (a) and 5097.96 authorize the NAHC to establish a Sacred Land Inventory to record Native American sacred sites and burial sites. These records are exempt from the provisions of the California Public Records Act pursuant to California Government Code §6254 (r). The purpose of this code is to protect such sites from vandalism, theft and destruction. The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code

§§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Special reference is made to the *Tribal Consultation* requirements of the California 2006 Senate Bill 1059: enabling legislation to the federal Energy Policy Act of 2005 (P.L. 109-58), mandates consultation with Native American tribes (both federally recognized and non federally recognized) where electrically transmission lines are proposed. This is codified in the California Public Resources Code, Chapter 4.3 and §25330 to Division 15.

Furthermore, pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List



## California Native American Contacts

Los Angeles County

December 1, 2011

Charles Cooke  
32835 Santiago Road  
Acton, CA 93510  
suscol@intox.net

(661) 733-1812 - cell  
suscol@intox.net

Chumash  
Fernandeno  
Tataviam  
Kitanemuk

Ron Wermuth  
P.O. Box 168  
Kernville, CA 93238  
warmoose@earthlink.net  
(760) 376-4240 - Home  
(916) 717-1176 - Cell

Tubatulabal  
Kawaiisu  
Koso  
Yokuts

Beverly Salazar Folkes  
1931 Shadybrook Drive  
Thousand Oaks, CA 91362  
folkes@msn.com  
805 492-7255  
(805) 558-1154 - cell  
folkes9@msn.com

Chumash  
Tataviam  
Fernandeño

Kitanemuk & Yowlumne Tejon Indians  
Delia Dominguez, Chairperson  
981 N. Virginia  
Covina, CA 91722  
deedominguez@juno.com  
(626) 339-6785

Yowlumne  
Kitanemuk

Fernandeno Tataviam Band of Mission Indians  
Ronnie Salas, Cultural Preservation Department  
601 South Brand Boulevard, Suite 102  
San Fernando, CA 91340  
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(818) 837-0796 Fax

Fernandeno  
Tataviam

San Fernando Band of Mission Indians  
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Fernandeño  
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Serrano  
Vanyume  
Kitanemuk

LA City/County Native American Indian Comm  
Ron Andrade, Director  
3175 West 6th St, Rm. 403  
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randrade@css.lacounty.gov  
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(213) 386-3995 FAX

Randy Guzman - Folkes  
6471 Cornell Circle  
Moorpark, CA 93021  
ndnRandy@yahoo.com  
(805) 905-1675 - cell

Chumash  
Fernandeño  
Tataviam  
Shoshone Paiute  
Yaqui

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011111039; CEQA Notice of Completion; proposed Negative Declaration for the Solar Power System at 43205 - 5th Street West; located in the City of Lancaster; Los Angeles County, California.



**California Native American Contacts**  
Los Angeles County  
December 1, 2011

San Manuel Band of Mission Indians  
Ann Brierty, Policy/Cultural Resources Department  
26569 Community Center Drive Serrano  
Highland, CA 92346  
(909) 864-8933, Ext 3250  
abrierty@sanmanuel-nsn.  
gov  
(909) 862-5152 Fax

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011111039; CEQA Notice of Completion; proposed Negative Declaration for the Solar Power System at 43205 - 5th Street West; located in the City of Lancaster; Los Angeles County, California.**

December 29, 2011

**LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY  
SOLAR POWER SYSTEM AT 43205 5TH STREET WEST, LANCASTER  
DRAFT NEGATIVE DECLARATION AND INITIAL STUDY**

An identical original of the attached letter was sent to each of the following:

Ms. Beverly Salazar Folkes  
1931 Shadybrook Drive  
Thousand Oaks, CA 91362

Mr. Charles Cooke  
32835 Santiago Road  
Acton, CA 93510

Mr. Ronnie Salas  
Cultural Preservation Department  
Fernandeno Tataviam Band of Mission Indians  
601 South Brand Boulevard, Suite 102  
San Fernando, CA 91340

Mr. Ron Andrade, Director  
Los Angeles City/County Native American Indian Commission  
3175 West 6th Street, Room 403  
Los Angeles, CA 90020

Mr. Ron Wermuth  
P O Box 168  
Kernville, CA 93238

Ms. Delia Dominguez, Chairperson  
Kitanemuk & Yowlumne Tejon Indians  
981 North Virginia Avenue  
Covina, CA 91722

Mr. John Valenzuela, Chairperson  
San Fernando Band of Mission Indians  
P.O. Box 221838  
Newhall, CA 91322

Mr. Randy Guzman-Folkes  
6471 Cornell Circle  
Moorpark, CA 93021

December 29, 2011  
Page 2

Ms. Ann Brierty  
Policy/Cultural Resources Department  
San Manuel Band of Mission Indians  
26569 Community Center Drive  
Highland, CA 92346

RG:dvt  
LTS460 Cover

Attach.



GAIL FARBER, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

December 29, 2011

IN REPLY PLEASE

REFER TO FILE: **WW-1**

### **LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY SOLAR POWER SYSTEM AT 43205 5TH STREET WEST, LANCASTER DRAFT NEGATIVE DECLARATION AND INITIAL STUDY**

The Los Angeles County Waterworks District No. 40, Antelope Valley (District), recently distributed a draft Negative Declaration identifying that less than significant impacts would result from the proposed Solar Power System at 43205 5th Street West in the City of Lancaster

As part of the process of identifying cultural resources issues for this project, the Native American Heritage Commission (NAHC) commented on the enclosed draft Negative Declaration. The NAHC conducted a Sacred Lands File search and provided a list of Native American individuals and/or tribal organizations that may have knowledge of cultural resources in or near the proposed project area. The NAHC search indicated that Native American cultural resources were not identified within the area of potential effect but did recommend that we consult with you directly regarding your knowledge of the presence of cultural resources that may be impacted by this project.

The proposed project includes the installation of a 350-kilowatt ground-mounted, single-axis tracker solar photovoltaic system at the District's facility at 43205 5th Street West in the City of Lancaster. The proposed project site is located at the northwest corner of Avenue K-8 and 5th Street West, which is situated in Township 7 North, Range 12 West, in Section 27 of Lancaster, California. The system would cover the majority of the previously disturbed 2.5 acres on the site and offset the majority of the power loads required to operate the groundwater wells and pumps at the site.

Chevron Energy Solution and Chambers Group, Inc., environmental consultants, conducted a reconnaissance survey of the proposed project site and researched the local Record Center database, confirming that there were no recorded cultural areas within the proposed project site. In addition, the proposed project site is currently owned and operated by the District and previously disturbed, with portions of the site developed with water well facilities. No known historic, paleontological, archaeological, or human remains are known to exist at or adjacent to the proposed project site. Also, the proposed project would not involve the demolition of any buildings or structures

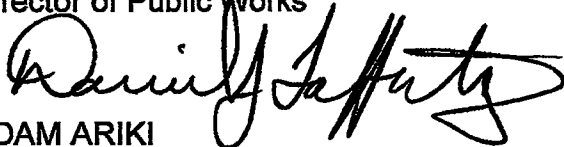
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The Negative Declaration specifies certain minimization measures will be taken to further reduce any impact. While it is unlikely that unknown historical or cultural resources will be found during construction of the proposed project, in the event that any are encountered during construction activities, the contractor will cease all activities until the deposits are recorded and evaluated by a qualified specialist. If any human remains of any kind are found, all activities will cease immediately and a qualified archaeologist and the County Coroner will be notified. If the coroner determines the remains to be of Native American origin, the archaeologist will notify the NAHC. The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.

If you have any questions or knowledge of cultural resources that may exist within or near the project area, please contact Mr Clark Ajwani at (626) 300-4687 or via e-mail at [cajwani@dpw.lacounty.gov](mailto:cajwani@dpw.lacounty.gov)

Very truly yours,

GAIL FARBER  
Director of Public Works



FOR  
ADAM ARIKI  
Assistant Deputy Director  
Waterworks Division

CA:ea  
LTS 460 - Solar ND response Mail Merge

Enc.